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JUN 18 2004

OFFICE OF PETITIONS

In re Application of :  
Daniel Jean :  
Application No. 10/810,201 : ON PETITION  
Filed: March 26, 2004 :  
Attorney Docket No. N/A :  
For: ANCHOR SHOVEL :

A petition under 37 CFR 1.47(a) was received in the United States Patent and Trademark Office (Office) on March 26, 2004.

Petitioner is informed that a Rule 1.47 petition must be signed by an attorney or agent of record OR a registered attorney or agent not of record who is acting in a representative capacity OR an authorized representative of the assignee of record of the entire interest OR jointly, the entities who together possess the entire interest in the application. 37 CFR 1.33(b).

It is unclear as to whether Gilles Boulanger has authority to file this petition. If Mr. Boulanger does not have authority to file this petition, petitioner must submit another petition under 37 CFR 1.47(a) that is signed by a 37 CFR 1.33(b) entity.

In addition, the filing was not accompanied by the required \$130.00 petition fee.

The petition is **dismissed**.

Petitioner must submit a \$130.00 petition fee AND must either prove Mr. Boulanger's authority to sign the Rule 47 petition or submit another petition under 37 CFR 1.47(a) signed by an appropriate party within **TWO (2) months** of the mail date of this decision. **Failure to respond will result in abandonment of the application.**

Petitioner is reminded that a grantable petition under 37 CFR 1.47(a) requires (emphasis added):

- (1) a petition including **proof of the pertinent facts establishing that the inventor** refuses to join, or **cannot be found or reached after diligent effort**,
- (2) **a proper oath or Declaration executed by the inventor or a person with authority to bind the party with proprietary interest in the invention**,
- (3) **the fee of \$130** as specified in 37 CFR § 1.17(h), and
- (4) the last known address of the non-signing inventor.

Further correspondence with respect to this matter should be addressed as follows:

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E. Shirene Willis  
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